



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

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December 11, 2007

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: ANNUL AWARD OF  
CONSTRUCTION CONTRACT  
PARKWAY TREE TRIMMING AND REMOVAL  
ROAD DIVISIONS 553 A AND C AND 556 A, C, AND D, FY 2006-07  
COMMUNITIES OF ACTON, AGUA DULCE, CASTAIC, LAKE HUGHES,  
PINE CANYON, SOLEDAD CANYON, AND VAL VERDE  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

Annul the contract award to Grace Building Maintenance Co., Inc., 3580 Wilshire Boulevard, Suite 1440, Los Angeles, California 90010, for failure to execute the contract previously awarded to it by your Board, Parkway Tree Trimming and Removal, Road Divisions 553 A and C and 556 A, C, and D, FY 2006-07, Project ID No. RMD5546112, in the communities of Acton, Agua Dulce, Castaic, Lake Hughes, Pine Canyon, Soledad Canyon, and Val Verde (5) in the amount of \$451,290.00.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to annul the award of the contract so the Department of Public Works may readvertise the project at a later date to perform the tree trimming outside of bird nesting season.

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs that we provide Service Excellence (Goal 1) and Community Services (Goal 6). The recommended action will allow the Department of Public Works to complete the work of this contract and provide for healthier and safer parkway trees, which benefit the community.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The cost to readvertise the project will be minimal.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On January 9, 2007, bids were opened and the lowest responsible and responsive bid was from Grace Building Maintenance Co., Inc., in the amount of \$451,290.00. However, funds originally allocated for the work of this project were redirected to projects with higher priority and the award was delayed. Grace Building Maintenance Co., Inc. voluntarily agreed to a delay in award. On August 14, 2007, your Board awarded the contract to Grace Building Maintenance Co., Inc. in the amount of \$451,290.00.

However, Grace Building Maintenance Co., Inc. has now informed the Department of Public Works that it will not be able to perform the work of the contract and has requested to be relieved of its bid.

The Instructions to Bidders, which is a contract document, provides for delay in award of a contract up to 90 calendar days of the bid opening date. Beyond 90 calendar days, a bidder may request to be relieved of its bid without penalty. Since award of the contract to Grace Building Maintenance Co., Inc. was well beyond 90 calendar days from bid opening, it is recommended the award to Grace Building Maintenance Co., Inc. be annulled with no penalty to be assessed. County Counsel concurs with the recommendation.

Readvertising the project at this time will not allow enough time to complete the work prior to the bird nesting season which runs from March through September. A recommendation will be made to your Board to readvertise the project and complete the work of the contract at a later date.

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**ENVIRONMENTAL DOCUMENTATION**

In accordance with Section 15378(b)(4), of the State of California Environmental Quality Act (CEQA) Guidelines, approval of the recommended action does not constitute a project, and hence, is not subject to the requirements of CEQA.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The project, when readvertised, will allow the Department of Public Works to perform the work contemplated by this contract to provide for healthier and safer parkway trees.

**CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DLW  
JTS:en

c: County Counsel  
Office of Affirmative Action Compliance